



Mail Stop RCE

**TRANSMITTAL  
FORM**

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Express Mail Label No.: EL 997384645 US

Total Number of Pages in This Submission: 16

Application Number 09/930,582

Filing Date August 15, 2001

Confirmation Number 3302

Inventor(s) DENYER et al.

Group Art Unit 3761

Examiner Mendoza, M.

Attorney Docket No. 00-41 C1 RCE

**ENCLOSURES** (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form (submit in duplicate)	<input type="checkbox"/> Assignment Papers	<input type="checkbox"/> Issue fee Transmittal Form PTOL-85(b) + (c) and Cover Sheet
<input type="checkbox"/> Fee Attached \$ <input type="text"/>	<input type="checkbox"/> Cover Sheet	<input type="checkbox"/> After Allowance Communication to Group
Check No.: <input type="text"/>	<input type="checkbox"/> Drawing Change Authorization Request and Amended Figure(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Request for Return of PTO-1449 Forms	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to the Commissioner	<input checked="" type="checkbox"/> Request for Continued Examination (RCE)
<input type="checkbox"/> Affidavits / Declaration(s)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Status Request Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Address	<input type="checkbox"/> Small Entity Statement
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer(s)	<input type="checkbox"/> Request for Refund
<input type="checkbox"/> Form PTO-1449	<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Response to Missing Parts / Incomplete Application
<input type="checkbox"/> Cited References	<input checked="" type="checkbox"/> Certificate of Mailing by Express Mail	
<input type="checkbox"/> Search report		
<input type="checkbox"/> Drawing(s): Number of Pages _____ Number of Figs. _____ and cover sheet	<input type="checkbox"/> Other Enclosure(s): _____	
<input type="checkbox"/> Formal		
<input type="checkbox"/> Informal		

**Current Due Date:** October 18, 2005 (two months extended)**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Individual and Company	Timothy Nathan, Reg. No. 44,256 RESPIRONICS, Inc., 1010 Murry Ridge Lane, Murrysville PA, 15668
Signature	
Date	October 18, 2005

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence and all enclosures are being deposited with the United States Postal Service with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to:

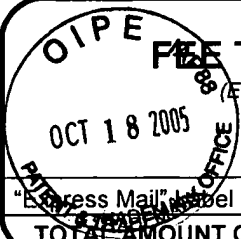
Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: October 18, 2005,  
Express Mail Label No. EL 997384645 US.

Typed Name Timothy Nathan, Reg. No. 44,256


Signature

Date

October 18, 2005

 <p style="font-size: 1.2em; font-weight: bold;">FEE TRANSMITTAL</p> <p>(Effective 12/08/2004)</p>	Application Number	09/930,582	
	Filing Date	August 15, 2001	
	First Named Inventor	DENYER et al.	
	Confirmation Number	3302	
	Group Art Unit	3761	
	Examiner's Name	Mendoza, M.	
"Express Mail" Label No. EL 997384645 US		Attorney Docket No.	00-41 C1 RCE
TOTAL AMOUNT OF PAYMENT		\$ 1,240.00	

METHOD OF PAYMENT	FEE CALCULATION (continued)																																																																																																																																																																						
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number: <span style="border: 1px solid black; display: inline-block; width: 150px; height: 1.2em; vertical-align: middle;"></span></p> <p>Deposit Account Name: <span style="border: 1px solid black; display: inline-block; width: 150px; height: 1.2em; vertical-align: middle;"></span></p> <p><input checked="" type="checkbox"/> Charge any additional fee required under 37 C.F.R. §§ 1.16, 1.17, 1.19 and 1.20      <input type="checkbox"/> Charge the Issue Fee set forth in 37 C.F.R. § 1.18</p>	<p><b>3. APPLICATION SIZE FEE</b></p> <p>If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 for each additional 50 sheets or fraction thereof. See 35 U.S.C. § 41(a)(1)(G) and 37 C.F.R. § 1.16(s).</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Total Sheets</th> <th style="text-align: left;">Extra Sheets</th> <th style="text-align: left;">Number of each additional 50 fraction thereof</th> <th style="text-align: left;">Fee(\$)</th> <th style="text-align: left;">Fee Paid(\$)</th> </tr> <tr> <td colspan="5">_____ -100 = _____ /50 = _____ (round up to a whole number) X 250 = <u>0.00</u></td> </tr> </table> <p><b>4. ADDITIONAL FEES</b></p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Large Fee Code</th> <th style="text-align: left;">Entity Fee (\$)</th> <th style="text-align: left;">Small Fee Code</th> <th style="text-align: left;">Entity Fee (\$)</th> <th style="text-align: left;">Fee Description</th> <th style="text-align: left;">Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or declaration</td><td></td></tr> <tr><td>1811</td><td>100</td><td>1811</td><td>100</td><td>Certificate of Correction</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>576</td><td>25</td><td>576</td><td>25</td><td>Additional filing receipt, duplicate or corrected due to applicant error</td><td></td></tr> <tr><td>1251</td><td>120</td><td>2251</td><td>60</td><td>Extension for response within first month</td><td></td></tr> <tr><td>1252</td><td>450</td><td>2252</td><td>225</td><td>Extension for response within second month</td><td>450.00</td></tr> <tr><td>1253</td><td>1,020</td><td>2253</td><td>510</td><td>Extension for response within third month</td><td></td></tr> <tr><td>1254</td><td>1,590</td><td>2254</td><td>795</td><td>Extension for response within fourth month</td><td></td></tr> <tr><td>1255</td><td>2,160</td><td>2255</td><td>1,080</td><td>Extension for response within fifth month</td><td></td></tr> <tr><td>1401</td><td>500</td><td>2401</td><td>250</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>500</td><td>2402</td><td>250</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>1,000</td><td>2403</td><td>500</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1452</td><td>500</td><td>2452</td><td>250</td><td>Petition to revive unavoidably abandoned application</td><td></td></tr> <tr><td>1453</td><td>1,500</td><td>2453</td><td>750</td><td>Petition to revive unintentionally abandoned application</td><td></td></tr> <tr><td>1501</td><td>1,400</td><td>2501</td><td>700</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>800</td><td>2502</td><td>400</td><td>Design issue fee</td><td></td></tr> <tr><td>1814</td><td>130</td><td>2814</td><td>65</td><td>Statutory Disclaimer</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Director</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of property)</td><td></td></tr> <tr><td>1801</td><td>790</td><td>2801</td><td>395</td><td>Request for Continued Examination</td><td>790.00</td></tr> <tr><td>1504</td><td>300</td><td>1504</td><td>300</td><td>Publication Fee</td><td></td></tr> <tr><td colspan="5">Other Fee (specify) _____</td><td></td></tr> <tr> <td colspan="5" style="text-align: right;"><b>SUBTOTAL (3)</b></td> <td><b>\$ 1,240.00</b></td> </tr> </tbody> </table>	Total Sheets	Extra Sheets	Number of each additional 50 fraction thereof	Fee(\$)	Fee Paid(\$)	_____ -100 = _____ /50 = _____ (round up to a whole number) X 250 = <u>0.00</u>					Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	1051	130	2051	65	Surcharge - late filing fee or declaration		1811	100	1811	100	Certificate of Correction		1812	2,520	1812	2,520	For filing a request for reexamination		576	25	576	25	Additional filing receipt, duplicate or corrected due to applicant error		1251	120	2251	60	Extension for response within first month		1252	450	2252	225	Extension for response within second month	450.00	1253	1,020	2253	510	Extension for response within third month		1254	1,590	2254	795	Extension for response within fourth month		1255	2,160	2255	1,080	Extension for response within fifth month		1401	500	2401	250	Notice of Appeal		1402	500	2402	250	Filing a brief in support of an appeal		1403	1,000	2403	500	Request for oral hearing		1452	500	2452	250	Petition to revive unavoidably abandoned application		1453	1,500	2453	750	Petition to revive unintentionally abandoned application		1501	1,400	2501	700	Utility issue fee (or reissue)		1502	800	2502	400	Design issue fee		1814	130	2814	65	Statutory Disclaimer		1460	130	1460	130	Petitions to the Director		1807	50	1807	50	Petitions related to provisional applications		1806	180	1806	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of property)		1801	790	2801	395	Request for Continued Examination	790.00	1504	300	1504	300	Publication Fee		Other Fee (specify) _____						<b>SUBTOTAL (3)</b>					<b>\$ 1,240.00</b>
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<p><b>2. <input type="checkbox"/> Payment Enclosed:</b></p> <p>Check (Check No. _____)</p> <p><b>FEE CALCULATION (fees effective 12/08/2004)</b></p> <p><b>1. BASIC FILING, SEARCH, AND EXAM FEES</b></p> <p style="text-align: center;">(Large Entity Only)</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Appl. Type</th> <th style="text-align: left;">Filing Fee(\$)</th> <th style="text-align: left;">Search Fee(\$)</th> <th style="text-align: left;">Exam Fee(\$)</th> <th style="text-align: left;">Fees Paid</th> </tr> </thead> <tbody> <tr><td>Utility</td><td>300</td><td>500</td><td>200</td><td>\$</td></tr> <tr><td>Design</td><td>200</td><td>100</td><td>130</td><td></td></tr> <tr><td>Plant</td><td>200</td><td>300</td><td>160</td><td></td></tr> <tr><td>Reissue</td><td>300</td><td>500</td><td>600</td><td></td></tr> <tr><td>Provisional</td><td>200</td><td>0</td><td>0</td><td></td></tr> <tr> <td colspan="4" style="text-align: right;"><b>SUBTOTAL (1)</b></td> <td><b>\$ 0.00</b></td> </tr> </tbody> </table> <p><b>2. CLAIMS</b></p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Total Claims</th> <th style="text-align: left;">Extra Claims</th> <th style="text-align: left;">Fee from Below</th> <th style="text-align: left;">Fee Paid</th> </tr> </thead> <tbody> <tr> <td>—</td> <td>- 20 * 0 x</td> <td>25 =</td> <td></td> </tr> <tr> <td>Ind. Claims</td> <td>- 3 * — x</td> <td>100 =</td> <td></td> </tr> <tr> <td colspan="2">Multiple Dependent Claims add</td> <td>360 =</td> <td></td> </tr> </tbody> </table> <p>* Enter Highest Number Previous Paid For _____</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Large Entity Fee (\$)</th> <th style="text-align: left;">Small Entity Fee (\$)</th> <th style="text-align: left;">Fee Description</th> </tr> </thead> <tbody> <tr><td>1202 50</td><td>2202 25</td><td>Claims in excess of 20</td></tr> <tr><td>1201 200</td><td>2201 100</td><td>Independent claims in excess of 3</td></tr> <tr><td>1203 360</td><td>2203 180</td><td>Multiple dependent claim</td></tr> <tr><td>1204 200</td><td>2204 100</td><td>Reissue independent claims over original patent</td></tr> <tr><td>1205 50</td><td>2205 25</td><td>Reissue claims in excess of 20 and over original patent</td></tr> <tr> <td colspan="2" style="text-align: right;"><b>SUBTOTAL (2)</b></td> <td><b>\$ 0.00</b></td> </tr> </tbody> </table>	Appl. Type	Filing Fee(\$)	Search Fee(\$)	Exam Fee(\$)	Fees Paid	Utility	300	500	200	\$	Design	200	100	130		Plant	200	300	160		Reissue	300	500	600		Provisional	200	0	0		<b>SUBTOTAL (1)</b>				<b>\$ 0.00</b>	Total Claims	Extra Claims	Fee from Below	Fee Paid	—	- 20 * 0 x	25 =		Ind. Claims	- 3 * — x	100 =		Multiple Dependent Claims add		360 =		Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	1202 50	2202 25	Claims in excess of 20	1201 200	2201 100	Independent claims in excess of 3	1203 360	2203 180	Multiple dependent claim	1204 200	2204 100	Reissue independent claims over original patent	1205 50	2205 25	Reissue claims in excess of 20 and over original patent	<b>SUBTOTAL (2)</b>		<b>\$ 0.00</b>																																																																																															
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SUBMITTED BY			
Typed or Printed Name	Timothy Nathan	Reg. Number	44,256
Signature		Date	October 18, 2005
		Deposit Account Number	50-0558



## Certificate of Mailing by "Express Mail"

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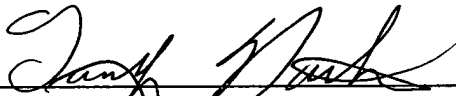
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October 18, 2005

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Timothy Nathan

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